REMARKS

Claims 1, 2, 6-9, 11-14, 27, 40-46 and 48 are pending. By this Amendment, the title and claim 1 are amended, claim 48 is added, and claim 47 is cancelled without prejudice to or disclaimer of the subject matter contained therein. No new matter is added.

Claim 1 is amended to improve form. Support for the claims is found in the disclosure as originally filed.

For the following reasons, reconsideration is respectfully requested.

Specification

The title is objected to. Simply to expedite prosecution, the title is amended. Withdrawal of the objection is respectfully requested.

Claim rejections – 35 U.S.C. § 102 and § 103

Claims 1, 2, 6-9, 11-15, 25-27 and 40-47 are rejected under 35 U.S.C. § 102(a), or alternatively, under 35 U.S.C. § 103(a) over Mazzochette at al., (U.S. PG Pub No. 2004/0022433). The rejection of previously cancelled claims 15, 25 and 26 and the currently cancelled claim 47 is moot. The rejection of pending claims 1, 2, 6-9, 11-14, 27 and 40-46 is respectfully traversed.

It is respectfully submitted that Mazzochette fails to disclose or suggest a light emitting device package comprising a silk screen layer formed on the top surface of the electrode layer; and a lens portion positioned along the silk screen layer, as recited in claim 1.

Also, Mazzochette fails to disclose or suggest a light emitting device package, comprising a heat sink on the bottom surface of the metal base, wherein the heat sink is combined to the metal base by a screw, as recited in claim 40.

Also, Mazzochette fails to disclose or suggest a light emitting device package comprising an electrical circuit layer provided at an upper side of the metal base for providing a conductive path; an electrode layer provided at an upper side of the electrical circuit layer; and a plating layer provided on the top surface of the electrode layer, as recited in claim 42.

With respect to claim 1, Mazzochette disclose a sheet of a transparent cover 19 as being provided by bonding a transparent clear cover or lens over the cavity 18 (see paragraph [0028] and FIG. 1A of Mazzochette). In this context, Mazzochette discloses that the seal can be made hermetic by addition of a bonding pad and brazed seal ring that is not shown (see paragraph [0028] of Mazzochette). Accordingly, Mazzochette simply mentions a hermetic seal for the transparent cover 19 without discussing a location for the seal or discussing the seal's relations to transparent cover 19.

In contrast, the lens portion of the subject invention is formed by a molding process, and the silk screen layer functions as a boundary for the lens portion to not pass the silk screen layer during the molding process. Such a characteristic of the subject invention is encapsulated by the recited feature of a silk screen layer formed on the top surface of the electrode layer; and a lens portion positioned along the silk screen layer in claim 1, which Mazzochette fails to disclose or suggest.

With respect to claim 40, Mazzochette simply discloses an array 90 of LTCC-M packaged diodes 10 having the diodes 10 pressed between a metal heat sink 91 and an apertured PC board 92. The PC board 92 is secured to the metal heat sink by screws 95 (see paragraph [0040] and FIG. 9 of Mazzochette). In contrast, the base of the subject invention is formed by metal, the light emitting device is placed on the metal base for heat dissipation, and the metal base is further combined with a heat sink by a screw. Such a characteristic of the subject invention is encapsulated by the recited feature of a heat sink on the bottom surface of the metal base, wherein the heat sink is combined to the metal base by a screw.

On the other hand, Mazzochette does not disclose the recited metal base and an additional and distinct heat sink. Rather, Mazzochette simply discloses a diode 10 lacking a metal base. Therefore, only the heat sink 91 of the reference can be considered as a metal base, because the PC board 92 is not a metal, is not a mounting device of the diode 10, and is not a heat absorbing device for the diode 10. Then, since Mozzechette has only a metal base, Mazzochette fails to disclose a heat sink.

Further, even if the screws 95 were adopted in the other embodiments of Mazzochette, for example Fig. 5, the screws 95 would only become a fastening device for the LTCC-M 17 (which

is not heat sink) and the metal base 51. Accordingly, Mazzochette lacks the recited feature of a heat sink on the bottom surface of the metal base, wherein the heat sink is combined to the metal base by a screw.

With respect to claim 42, Mozzechette simply discloses an insulating layer 12 between the metal base 11 and the conductive layer 13, whereby the conductive layer 13 provides thermal coupling and electrical connection (see paragraph [0025] and FIG. 1 of Mazzochette). That is, due to the conductive characteristics of the metal base 11 and the conductive layer 13, without the insulating layer 12 between them, the conductive layer 13 would not be able to function as an electrical connection due to contact with the metal base 11 (i.e., due to shorting). Based on this disclosure of Mazzochette, it is clear that even if the conductive layer 13 of Mazzochette is considered as the recited electrical circuit layer of claim 42, Mazzochette lacks the recited electrode layer, as well as the recited plating layer.

If by arguendo, the conductive pad regions the 13A and 13C are considered as a plating layer, then, however, there would not be the recited electrode layer present in Mazzochette.

Based on all of the above, Mazzochette fails to disclose or suggest each and every feature of claim 1. Accordingly, claims 1, 40 and 42 are patentably distinguishable over the applied reference. Additionally, claims 2, 6-9, 11-14 and 27, which depend from claim 1; claim 41, which depend from claim 40; and claims 43-46, which depend from claim 42, are likewise patentably distinguishable over the applied references and their combination for at least the reasons discussed above and/or for the additional features they recite. Withdrawal of the rejection is respectfully requested.

New Claim

New claim 48 is also patentable for at least the reasons discussed above and/or for the additional features it recites. Consideration and allowance are respectfully requested.

CONCLUSION

In view of the above amendment and/or remarks, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Seth S. Kim, Reg. No. 54,577, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By

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